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*Attorneys for John Beach, Trustee of the  
Beach Living Trust dated January 22, 1999*

**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF NEVADA**

In re:  
  
ANTHONY THOMAS and WENDI THOMAS

☒ Affects AT EMERALD, LLC  
☐ Affects all Debtors

Case No.: BK-N-14-50333-btb  
Chapter: 11

[Lead Case – Jointly Administered]

Case No.: BK-N-14-50331-btb  
Chapter: 11

**NOTICE OF SUBPOENA**

PLEASE TAKE NOTICE that on the 20th day of June, 2014, a subpoena commanding the appearance at deposition and the production of documents was issued for service on the Person Most Knowledgeable of the Sarasota Vault, a copy of which is attached hereto.

Dated this 24th day of June, 2014.

**HOLLAND & HART LLP**

*/s/ Joseph G. Went*

By: \_\_\_\_\_  
Timothy A. Lukas, Esq. (4678)  
Joseph G. Went, Esq. (9220)  
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B 254 (Form 254 – subpoena for Rule 2004 Examination) (12/13)

**UNITED STATES BANKRUPTCY COURT**  
**MIDDLE DISTRICT OF FLORIDA**

**In re:**

ANTHONY THOMAS and WENDI THOMAS

**CASE NUMBER:** BK-S-14-50333-BTB  
BK-N-14-503331-BTB\*  
[Jointly Administered]

☒ Affects AT EMERALD, LLC  
☐ Affects all Debtors

Chapter 11

\*Matters pending in the United States Bankruptcy  
Court for the District of Nevada

**Debtors.**

**SUBPOENA FOR RULE 2004 EXAMINATION**

TO: PERSON MOST KNOWLEDGEABLE OF THE SARASOTA VAULT

☒ *Testimony:* **YOU ARE COMMANDED** to appear at the time, date, and place set forth below to testify at an examination under Rule 2004, Federal Rules of Bankruptcy Procedure. A copy of the court order authorizing the examination is attached.

**See attached Exhibit A for listing of topics.**

PLACE	DATE AND TIME
<b>640 S. Washington Blvd., Suite 125, Sarasota, Florida 34236</b>	<b>July 10, 2014</b> <b>9:00 a.m.</b>

The examination will be recorded by this method: Stenographical before a Notary Public or some other authorized officer

☒ *Production:* You, or your representatives, must also bring with you to the examination the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

**See attached Exhibit B.**

The following provisions of Fed. R. Civ. P. 45, made applicable in bankruptcy cases by Fed. R. Bankr. P. 9016, are attached – Rule 45(c), relating to the place of compliance; Rule 45(c), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: June 20, 2014

CLERK OF COURT

OR

/s/ Joseph G. Went, Esq.

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, email address and telephone number of the attorney representing (*name of party*)

John Beach, Trustee of the Beach Living Trust dated January 22, 1999, who issues or requests this subpoena, are:

TIMOTHY A. LUKAS, ESQ./JOSEPH G. WENT, ESQ., Holland & Hart LLP, 9555 Hillwood Drive, Second Floor, Las Vegas, Nevada 89134, Tel: (702) 669-4600, [tlukas@hollandhart.com](mailto:tlukas@hollandhart.com) and [jgwent@hollandhart.com](mailto:jgwent@hollandhart.com)

**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things, or the inspection of premises before trial, a notice and a copy of this subpoena must be served on each party before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4)

**EXHIBIT A**

1. The storage and maintenance of the 23 kilogram black schist stone including a green crystal beryl (natural emerald) and other similar material (the “Thomas Emerald”) allegedly owned by Debtor AT Emerald, LLC (“Debtor”).
2. The account(s) of Debtor with the Sarasota Vault.
3. The Debtor’s depository or vault agreement.
4. The full history of access to the Thomas Emerald while it has been stored at the Sarasota Vault.
5. The full history of access to any other vault maintained by Debtor at Sarasota Vault.

**EXHIBIT B**

1. The 23 kilogram black schist stone including a green crystal beryl (natural emerald) and/or other similar material (the “Thomas Emerald”) allegedly owned by the above-captioned Debtor AT Emerald, LLC (“Debtor”).
2. All documents related to any accounts for Debtor.
3. Debtor’s depository/vault agreement with Sarasota Vault.
4. All access logs to Debtor’s vault.
5. All electronically stored information showing access to the Thomas Emerald.
6. All electronically stored information showing access to the Debtor’s vault.
7. Surveillance tapes showing access to the Debtor’s vault.
8. All records showing access to the Debtor’s vault.
9. All account statements related to Debtor’s vault or agreement with Sarasota Vault.
10. All correspondence related to Debtor’s vault or agreement with Sarasota Vault.

Mary A. Schott

Mary A. Schott  
Clerk of Court



Entered on Docket  
June 23, 2014

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Beach Living Trust dated January 22, 1999*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:  
  
ANTHONY THOMAS and WENDI THOMAS

- ☒ Affects AT EMERALD, LLC  
☐ Affects all Debtors

Case No.: BK-N-14-50333-btb  
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[Lead Case – Jointly Administered]

Case No.: BK-N-14-50331-btb  
Chapter: 11

**ORDER GRANTING *EX PARTE*  
MOTION FOR ORDER  
REQUIRING THE PERSON MOST  
KNOWLEDGEABLE OF THE  
SARASOTA VAULT TO APPEAR  
FOR EXAMINATION AND TO  
PERMIT INSPECTION OF  
TANGIBLE THINGS PURSUANT  
TO FED R. BANKR. P. 2004**

This Court having reviewed the *Ex Parte Motion for an Order Requiring the Person  
Most Knowledgeable of the Sarasota Vault to Appear for Examination and to Permit Inspection*

1 of Tangible Things Pursuant to Fed. R. Bankr. P. 2004 (the “Motion”) submitted by John Beach  
2 (“Beach”), as trustee of the Beach Living Trust dated January 22, 1999 (the “Beach Trust”), and  
3 good cause appearing therefore,

4 **IT IS HEREBY ORDERED** that the Motion is GRANTED;

5 **IT IS FURTHER ORDERED** that the Person Most Knowledgeable of the Sarasota  
6 Vault shall appear for an examination under oath as to any matter permitted by Fed. R. Bankr. P.  
7 2004, by counsel for the Beach Trust, and other interested parties who appear at **Sarasota Vault,**  
8 **640 South Washington Boulevard, Suite 125, Sarasota, Florida, 34236, on July 10, 2014 at**  
9 **9:00 a.m.** (or at such other mutually agreeable location, date and time) and continuing from day  
10 to day thereafter until completion.

11 **IT IS SO ORDERED.**

12 Respectfully Submitted By:

13 **HOLLAND & HART LLP**

14 */s/ Joseph G. Went*

15 By: \_\_\_\_\_

16 Timothy A. Lukas, Esq.

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22 *Attorneys for John Beach, Trustee of the*

23 *Beach Living Trust dated January 22, 1999*

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